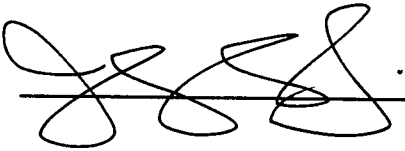


By



H. B. No. 3225

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of athletic trainers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1, Chapter 498, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4512d, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. DEFINITIONS; EXCEPTIONS. (a) In this Act:

(1) "Athletic injury" means an injury sustained by a person as a result of the person's participation in an organized sport or sport-related exercise or activity, including interscholastic, intercollegiate, intramural, semiprofessional, and professional sports activities.

(2) "Athletic trainer [Trainer]" means a person with specific qualifications, as set forth in Section 9 of this Act, who practices athletic training, is licensed by the board, and may use the initials "LAT," "LATC," and "AT" to designate the person as an athletic trainer. The terms "sports trainer" and "licensed athletic trainer" are equivalent to "athletic trainer."~~[7-upon-the advice-and-consent-of-his-team-physician-carries-out--the--practice of--prevention--and/or-physical-rehabilitation-of-injuries-incurred by-athletes---To-carry-out-these-functions-the-Athletic-trainer--is authorized--to--use-physical-modalities-such-as-heat7-light7-sound7 cold7-electricity7-or-mechanical-devices-related-to--rehabilitation and-treatment.]~~

1 (3) "Athletic training" means the form of health care
2 that includes the practice of preventing, recognizing, assessing,
3 managing, treating, disposing of, and reconditioning athletic
4 injuries under the direction of a physician licensed in this state
5 or another qualified, licensed health professional who is
6 authorized to refer for health care services within the scope of
7 the person's license.

8 (4) [~~2~~] "Board" means the Advisory Board of Athletic
9 Trainers.

10 (5) "Commissioner" means the commissioner of public
11 health.

12 (6) "Department" means the Texas Department of Health.

13 (b) [~~3~~] Nothing herein shall be construed to authorize the
14 practice of medicine by any person not licensed by the Texas State
15 Board of Medical Examiners.

16 (c) [~~4~~] The provisions of this Act [~~act~~] do not apply to:

17 (1) physicians licensed by the Texas State Board of
18 Medical Examiners;

19 (2) [~~to~~] dentists, duly qualified and registered
20 under the laws of this state, who confine their practice strictly
21 to dentistry;

22 (3) [~~nor--to~~] licensed optometrists and therapeutic
23 optometrists[~~7~~] who confine their practice strictly to optometry or
24 therapeutic optometry as defined by statute;

25 (4) [~~nor-to~~] occupational therapists[~~7~~] who confine
26 their practice to occupational therapy;

27 (5) [~~nor-to~~] nurses who practice nursing only;

1 (6) [~~nor-----to---duty~~] licensed [~~chiropradists---~~or]
2 podiatrists[7] who confine their practice strictly to [~~chiroprady~~
3 or] podiatry as defined by statute;

4 (7) [~~nor--to~~] physical therapists who confine their
5 practice to physical therapy;

6 (8) registered massage therapists [~~nor-to-masseurs--or~~
7 ~~masseuses-in-their-particular-sphere-of-labor~~]; or

8 (9) [~~nor--to~~] commissioned or contract physicians or
9 physical therapists or physical therapists assistants in the United
10 States Army, Navy, Air Force, Public Health and Marine Health
11 Service.

12 (d) This Act does not apply to an athletic trainer who does
13 not live in this state, is licensed, registered, or certified by an
14 authority recognized by the board, and who provides athletic
15 training in this state for a period determined by the board.

16 SECTION 2. Section 12, Chapter 498, Acts of the 62nd
17 Legislature, Regular Session, 1971 (Article 4512d, Vernon's Texas
18 Civil Statutes), is amended to read as follows:

19 Sec. 12. GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION OF
20 LICENSE. The board may refuse to issue a license to an applicant
21 or may suspend or revoke the license of any licensee if the
22 applicant or licensee [he] has:

23 (1) been convicted of a felony or misdemeanor
24 involving moral turpitude, the record of conviction being
25 conclusive evidence of conviction; [~~or~~]

26 (2) secured the license by fraud or deceit; [~~or~~]

27 (3) violated or conspired to violate the provisions of

1 this Act or rules and regulations issued pursuant to this Act; or
2 (4) provided services outside the scope of practice of
3 athletic training.

4 SECTION 3. This Act takes effect September 1, 1999.

5 SECTION 4. The importance of this legislation and the
6 crowded condition of the calendars in both houses create an
7 emergency and an imperative public necessity that the
8 constitutional rule requiring bills to be read on three several
9 days in each house be suspended, and this rule is hereby suspended.

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A BILL TO BE ENTITLED
AN ACT

By 

Relating to the regulation of athletic trainers.

MAR 11 1999

Filed with the Chief Clerk

MAR 16 1999

Read first time and referred to Committee on **Public Health**

Reported favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of yeas, nays, present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas, nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(yeas, nays)

Senate and Constitutional 3 Day Rules suspended by a vote of yeas, nays

Read third time, _____, and passed by (a viva voce vote)
(yeas, nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)